



Order Filed on March 26, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

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ATTORNEY FOR CREDITOR: CONSUMER PORTFOLIO SERVICES

**IN THE BANKRUPTCY COURT FOR THE
DISTRICT OF NEW JERSEY (TRENTON)
HONORABLE KATHRYN C. FERGUSON**

In re: : Case No. 18-20286-KCF
:
NANCY M NALBONE :
:
Debtor, :
: Chapter 13
:
: Hearing Date: February 27, 2019
:
_____ :

CONSENT ORDER RESOLVING MOTION FOR RELIEF FROM STAY DATED
JANUARY 16, 2019

CONSENT ORDER MODIFYING STAY AS TO MOTOR VEHICLE
2012 DODGE JOURNEY UTILITY 4D SE 2.4 L, VIN # 3C4PDCAB5CT203784

The relief set forth on the following pages, number one (1) through four (6) is hereby
ORDERED.

DATED: March 26, 2019



Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Debtors: Nancy M. Nalbene
Case No.: 18-20286-KCF
Caption of Order: Consent Order Modifying Stay as to Personal Property

1. The 11 U.S.C. §362(a) Stay as to Consumer Portfolio Services, Inc., (“Movant”), with respect to the personal property of Debtor’s described as a 2012 Dodge Journey utility 4D SE 2.4L I4, VIN# 3C4PDCAB5CT203784, in accordance with the agreement of the Debtor and Movant is hereby modified and shall remain in effect PROVIDED THAT Debtor comply with the following terms and conditions:

The arrears are \$376.94 as of the date of this Consent Order. Debtors shall cure the arrears and fees and costs by making a payment of \$376.94 by March 31, 2019.

Debtors shall then be responsible for timely making all future regular monthly payments to Movant starting with the payment of \$376.94 due on April 25, 2019. Failure to make future monthly payments shall also be cause for default under this Consent Order.

2. The term “payment” as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.

3. Debtors will be in default under the Consent Order in the event that Debtors fail to comply with the payment terms and conditions in Paragraph 1, *supra*. If Debtors fail to cure the default within ten (30) days from the date of default, Movant may file a Certification of Default on five (5) days’ notice to Debtors’, counsel for Debtors and the Chapter 13 Trustee for an Order lifting the automatic Stay imposed under 11 U.S.C. §362(a) and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.

Debtors: Nancy M. Nalbene
Case No.: 18-20286-KCF
Caption of Order: Consent Order Modifying Stay as to Personal Property

4. The failure of Movant to file a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

5. In the event the Debtors convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtors shall pay all pre-petition arrears and post-petition arrears within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter.

6. Movant's fees and costs of \$531 are to be paid through the Chapter 13 Plan.

We hereby Consent to the form and entry of the foregoing Order.

<u>/s/ Keri P. Ebeck</u> Keri P. Ebeck , Esquire Bernstein-Burkley, P.C. 707 Grant Street, Suite 2200 Gulf Tower Pittsburgh, PA 15219 (412) 456-8112 Email: kebeck@bernsteinlaw.com	<u>/s/</u> John Zimnis, Esquire Law Offices of Peter E. Zimnis 1245 Whitehorse-Mercerville Road Suite 412 Trenton, NJ 08619 (609) 581-9353 Email: njbankruptcylaw@aol.com
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Dated: March 4, 2019

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Nancy M Nalbone
Debtor

Case No. 18-20286-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 27, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 29, 2019.

db +Nancy M Nalbone, 33 Miry Brook Road, Hamilton, NJ 08690-1640

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 29, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 27, 2019 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor MIDFIRST BANK dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
John Zimnis on behalf of Debtor Nancy M Nalbone njbankruptcyaw@aol.com.
Keri P. Ebeck on behalf of Creditor Consumer Portfolio Services, Inc. kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Rebecca Ann Solarz on behalf of Creditor MIDFIRST BANK rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7